

THE HONORABLE JUDGE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

RICHARD L. AHEARN, Regional Director of the)	
Nineteenth Region of the National Labor)	
Relations Board, for and on behalf of the)	
NATIONAL LABOR RELATIONS BOARD,)	Civil No. 11-5684RBL
)	
Petitioner)	
)	PRELIMINARY
v.)	INJUNCTION
)	
)	
INTERNATIONAL LONGSHORE and WAREHOUSE))	
UNION, LOCAL 21,)	
Respondent)	
)	
and)	
)	
INTERNATIONAL LONGSHORE and WAREHOUSE))	
UNION, LOCAL 4,)	
Respondent)	

The Petition of Richard L. Ahearn ("Petitioner"), Regional Director for Region 19 of the National Labor Relations Board (the "Board") for and on behalf of the Board, having been filed and properly served on International Longshore and Warehouse Union Locals 21 and Local 4 (jointly, "Respondents"), pursuant to Sections 10(j) of the National Labor Relations Act (the "Act") as amended, 29 U.S.C. 160(j), following the issuance of the unfair labor practice complaint in Cases 36-CB-2827, 36-CB-2831, 36-

1 CC-1047, 36-CC-1049 praying for a preliminary injunctive relief against Respondents,
2 pending final disposition of the matters involved herein pending before the Board, and
3 Petitioner having filed a Motion for a Temporary Restraining Order and Preliminary
4 Injunction pursuant to Fed. R. Civ. P. 65(b), the Petition and Motion being verified and
5 supported by affidavits and exhibits; and

6
7 **IT APPEARING** to the Court from the verified Petition, Motion, other
8 pleadings, affidavits, exhibits, argument of counsel, the hearing held before the Court
9 on September 1, 2011, and the entire record in this matter, that:

10 1. There is reasonable cause to believe that Respondents are statutory labor
11 organizations within the meaning of Section 2(5) of the Act;

12 2. The Respondents, through their agents, have engaged with an unlawful
13 object, *inter alia*, in picket line violence, threats and property damage, mass picketing
14 and blocking of ingress and egress at the facility of EGT, LLC, located in Longview,
15 Washington;

16 3. There is substantial evidence that local police authorities and state courts
17 are unable to control and abate the misconduct of the Respondents;

18 4. There is imminent danger that, absent immediate temporary injunctive
19 relief, substantial and irreparable injury to the statutory rights of employees under the
20 Act will be inflicted by the Respondents, and that the final administrative order of the
21 Board will be frustrated or nullified if interim relief is not granted; and

22 5. It is appropriate and just and proper, within the meaning of Sections
23 10(j) and Fed. R. Civ. P. 65(b) that, pending completion of the hearing before the Court
24 on the merits of the Petition that the Respondents be preliminarily enjoined from the

1 commission of further acts and misconduct in violation of the Act as described in the
2 Petition, until further order of the Court.

3
4 **WHEREFORE, IT IS HEREBY ORDERED** that Respondents International
5 Longshore and Warehouse Union, including Locals 21 and 4, their officers, agents,
6 servants, employees, attorneys, and all members and persons acting in concert or
7 participation with them, including sister locals, as provided for in Rule 65(b) of the
8 Federal Rules of Civil Procedure and pursuant to the provisions of the Act, are

9 **ENJOINED AND RESTRAINED** from:

- 10 1. Engaging with an unlawful object, *inter alia*, in trespassing, picket line
11 violence, threats and property damage, mass picketing and blocking of ingress and
12 egress at the facility of EGT, LLC, located in Longview, Washington, or impeding rail
13 or ship traffic anywhere destined to or from EGT's facility in furtherance of Respondent
14 Locals 21 and 4's dispute regarding work performed at or related to the EGT facility;
- 15 2. In any other manner, or by any other means furthering their unlawful
16 object by restraining or coercing the employees of EGT, General, or any other person
17 doing business in relation to the EGT facility in the exercise of their rights guaranteed
18 under Section 7 of the Act.

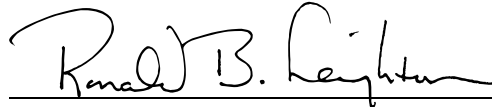
19 A copy of this Order shall be served upon the United States Marshal for the
20 Western District of Washington.

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22 **IT IS FURTHER ORDERED** the Respondents' attorneys shall inform their
23 clients, officers and members, of the terms of the Preliminary Injunction.

1 **IT IS FURTHER ORDERED** that on September 15, 2011 at 10:00 a.m.,
2 Respondents shall Show Cause why they should not be held in civil contempt for
3 violating the Court's prior Temporary Restraining Order.

4 **IT IS SO ORDERED.**

5 DATED this 8th day of September 2011.

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7 RONALD B. LEIGHTON
8 UNITED STATES DISTRICT JUDGE
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